

BOARD OF COUNTY COMMISSISONERS  
LEON COUNTY, FLORIDA  
REGULAR MEETING  
September 13, 2005  
**DRAFT**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. with Chairman Thaeli presiding. Present were Rackliff, Winchester, Proctor, DePuy, Sauls. Also present were County Attorney Herb Thiele, and County Administrator Parwez Alam.

**Invocation and Pledge of Allegiance**

Commissioner Proctor provided the Invocation and led the Pledge of Allegiance.

**Awards and Presentation**

Resolution Recognizing Major Malcolm (Mac) Kemp, Emergency Medical Services 2005 "Educator of the Year"

Chairman Thaeli offered a resolution to Major Malcolm (Mac) Kemp and it was delivered by Martin Green. September 13<sup>th</sup> will now be recognized as Major Malcolm (Mac) Kemp Day.

Major Kemp informed the Board that many EMS personnel were now in Mississippi and the Gulf Coast to aid the disaster victims.

**Presentations Regarding Local Hurricane Katrina Relief Efforts**

Presenters: Chris Floyd, Capital Area Chapter of the American Red Cross; Amanda Philips (for Jerry Bush), VolunteerLEON; Richard Smith, Emergency Management; and Sheriff Campbell

Several Commissioners voiced their concerns about having a City and County emergency operations plan

**Consent**

ACTION TAKEN: Since Commissioner Grappa has been delayed, he has requested that Items #14 and #15 and Item #21 from General Business be pulled and these agenda items be amended and placed after the Public Hearings. Commissioner DePuy moved, seconded by Commissioner Winchester, to approve pulling Item #14 for discussion and if Item #15 can not be handled because Commissioner Grappa is not present, Item #15 should be taken up after the Public Hearings. The motion carried 6-0 (Commissioner Grippa absent).

1. Approval of Bills and Vouchers Submitted for September 13, 2005

The Board approved Option #1: Approve payment of bills and vouchers submitted for approval for September 13, 2005

2. Acceptance of the Third Quarter, FY 2005 Status Report for the Tourist Development Council to the Leon County Board of County Commissioners

The Board approved Option #1: Accept the FY 2005 Third Quarter Status Report for the Tourist Development Council.

3. Approval to Renew the Agreement for Economic Impact of Visitors Study on Tallahassee-Leon County with Florida State University in the Amount of \$35,000

The Board approved Option #1: Approve renewal Agreement with Florida State University for the Economic Impact of Visitors Study on Tallahassee-Leon County in the amount of \$35,000 and authorize the Chairman to execute.

4. Approval of a Contract Addendum for Direct Marketing and Visitor Services for the Leon County Tourist Development Council (TDC)

The Board approved Option #1: Approve the Contract Addendum for Direct Marketing and Visitor Services with the Tallahassee Area Convention & Visitors Bureau through September 30, 2006 in the amount of \$790,800 and authorize the Chairman to execute.

5. Approval to Review Agreement for Festival & Event-Related Research with Florida State University in the Amount of \$10,000

The Board approved Option #1: Approve renewal of agreement with Florida State University for Festival & Event-Related research in the amount of \$10,000 and authorize the Chairman to execute.

6. Adoption and implementation of the National Incident Management System (NIMS)

The Board approved Option #1: Adopt the Resolution designating the National Incident Management (NIMS) as the Basis for Incident Management in Leon County.

7. Ratification of Actions Taken at the August 30, 2005 Workshop on Growth Management Legislation

The Board approved Option #1: Ratify the Board actions taken at the August 30, 2005, Workshop on Grown Management Legislation (SB-360).

8. Ratification of the August 30, 2005 Workshop on Leon County Jail Issues

The Board approved Option #1: Ratify Board actions taken at the August 30, 2005 Workshop on Leon County Jail Issues.

9. Adoption of a Resolution in Support of a Land Exchange within the J. R. Alford Greenway between Camdix 1, L.L.C. and the State of Florida

The Board approved Option #1: Adopt the proposed Resolution in support of a land exchange within the J. R. Alford Greenway Camdix 1, L. L. C. and the State of Florida.

10. Acceptance of Library Services and Technology Act Grant Funds in the Amount of \$21,456

The Board approved Options #1 and #2:

1. Accept the Library Services and Technology Act Grant Agreement in the amount of \$21,456 and authorize the Chairman to execute.
2. Approve the Resolution and associated Budget Amendment Request.

11. Acceptance of Modification to the Leon County Human Resources Policy and Procedures Manual to Integrate Emergency Medical Services Employees

The Board approved Options #1 and #2:

1. Adopt the proposed modifications to the Leon County Personnel Policies and Procedures Manual to fully integrate EMS employees into County policy.
2. Approve the revised Holiday Schedule for EMS employees.

12. Adopt Resolution Transferring Property Rights and Execute Conveyance in Favor of Florida Department of Transportation to Facilitate the Interstate 10 Improvement Project

The Board approved Options #1 and #2:

1. Adopt Resolution authorizing transfer of title.
2. Authorize Chairman to execute the Conveyance in favor of the Florida Department of Transportation.

13. Approval of Plat of Shire Ridge Subdivision

The Board approved Option #1: Approve the plat of Shire Ridge Subdivision and authorize staff to record it in the Public Records.

**Consent Items Pulled for Discussion**

14. Authorization to Issue a Request for Proposals for Ambient Water Quality Monitoring  
**THIS ITEM WAS PULLED FOR DISCUSSION**

Commissioner Rackleff questioned the advisability for transferring our Water Quality Monitoring Program from Growth and Environment Management to Public Works.

The County Administrator stated that there are two issues regarding this item:

- 1) The Program needs to be in Public Works; they have a scientist who uses and monitors the data;
- 2) The Request for Proposals (RFP) issue is to obtain proposals and select someone to collect that data.

According to the County Administrator, by approving Option #1, the Board would be approving the RFP.

Commissioner Rackleff moved to continue the item to the September 20, 2004 Board Meeting (Rackleff withdrew this motion)

Commissioner Rackleff stated this is a water quality issue. We have a world renowned Science Advisory Committee and we also have a Water Resources Committee. He suggested that the Board ask these two Committees to review this agenda item before the Board takes action.

Commissioner Rackleff moved, seconded by Commissioner Winchester to ask the Science Advisory Committee and the Water Resources Committee to review this agenda item before the Board takes action

Commissioner Sauls asked the County Administrator, by putting this out for RFP, does this leave a gap where the water quality is not being monitored? The Administrator answered that there would be a one to two month gap while the RFP process took place.

Commissioner Sauls asked that the current contract be extended for 90 days to prevent a gap in service.

Commissioner Rackleff amended the motion to include extending the water quality monitoring contract with McGlynn Laboratories, Inc.

Speakers: Noreen Chase, Big Bend Group Sierra Club, speaking for

Linda Jamison, Chairperson. The statement expressed opposition to an interruption of water quality monitoring and also warned of a conflict of interest placing the program with Public Works.

Rick Bateman is a lobbyist representing Shawn McGlynn, who currently holds the water monitoring contract. Mr. Bateman urged the Board to extend Mr. McGlynn's contract until such time that a new contract is awarded; therefore not suspending water monitoring.

Commissioner Rackleff amended the motion to include extending the water quality monitoring contract with McGlynn Laboratories, Inc. The motion, as amended carried 6-0.

15. Request for Reimbursement of Attorney's fees by Stephen Andrews on behalf of Former Commissioner Rudy Maloy

**THIS ITEM WAS PULLED FOR DISCUSSION**

Commissioner Grippa asked the County Attorney if the information is in a format to make a Board decision. County Attorney Thiele stated that the request for reimbursement would not meet the criteria of the policy.

Commissioner Grippa moved, seconded by Commissioner Rackleff, to approve Option #3: Do not approve the request for reimbursement of attorney's fees and costs submitted on behalf of former Commissioner Maloy by Sten R. Andrews, dated August 24, 2005. The motion carried 7-0.

**General Business**

16. Consideration of Funding Request of \$56,000 from the American Legion

Speakers: Charles LeCroy and Larry Johnson represented the American Legion's Lake Ella site. The American Legion's Lake Ella site has come to the point of needing substantial dollars to allow them to continue having a historical place in Leon County that Veterans and the general public can continue to be proud of.

Commissioner DePuy expressed that this site is very important to the community. Not only do they have their American Legion meetings there, but it also serves as a neighborhood and meeting place and is also rented out for different activities. In addition, it also houses a great deal of memorabilia from our people who fought to keep our country free as it is today.

Commissioner DePuy requested there be an accountability from the American Legion such as paid bills and invoices for the work done at the Lake Ella site.

Commissioner DePuy moved, seconded by Commissioner Rackleff and

carried 6-0, to approve Option #1: Approve the funding request from the American Legion in the amount of \$56,000 and approve the Budget Amendment request, pending the approval of FY 05/06 budget.

Commission Sauls stated her support of the request and asked if the American Legion had approached the City regarding funding. Mr. LeCroy answered that they had not but planned to do so because they have additional repairs that need to be done to the building such as electrical. They are expecting bids to come in and then they will go to the City and request assistance.

Commissioner DePuy informed the Board that he has approached the Florida Department of Corrections to determine if inmate labor can be used for this project.

17. Consideration of Funding Request of \$2,000 for the After School Jazz Jam Program

Commissioner Sauls stated that the Board has supported this program for the last two years and has been very well received.

Commissioner Sauls moved, seconded by Commissioner DePuy, to approve Option #1: Approve the \$2,000 funding request for the After School Jazz Jams, pending the passage of the FY 05/06 budget. The motion carried 6-0 (Commissioner Grippa out of Chambers).

18. Consideration of Request for Additional Funding from the Transportation Disadvantaged Program

**THIS ITEM WAS REMOVED FROM THE AGENDA**

19. Acceptance of the Final Report from the Airport Gateway Corridor Advisory Committee

Ben Pingee presented the Advisory Committee's final report and a recap of the proposed corridors/gateways (3).

Commissioner Sauls has no problem with segment one; but, it may be premature to consider segment two.

Speaker: Gerald Losey, Committee member, encouraged the Board to approve the final report.

Commissioner Winchester moved, seconded by Commissioner Rackleff, to approve Option #1: Accept the Final Report of the Airport Gateway Corridor Advisory Committee. The motion carried 6-0 (Commissioner Grippa out of Chambers).

20. Acceptance of the Primary Healthcare Implementation Advisory Board  
Recommendation on the Expenditure of the \$1 Million Primary Healthcare Municipal  
Services Taxing Unit Fund Balance

The County Administrator provided a summary of this item and stated that the correct amount of the three-year contract with Bond Community Health Center is \$1,051, 233. If the Board approves this item, at the September 20, 2005 meeting a contract will be presented stating how the money will be distributed and monitored.

Speakers: Ms. Mattie Mobley: expressed her concern for healthcare for all children, black and white. These children, 11+, are children having children and need whole healthcare including eyes and teeth care. This problem is not only in the Bond community but includes the entire Southside community.

Rev. William Foutz: supports the Board in their decision to support PHIAB

Joseph Wright: questioned if there was anything inappropriate or illegal about the activity when the first vote was taken at the first PHIAB meeting and are there any PHIAB members representing the Bond community.

Rev. Ernest Ferrell: encouraged the Board to provide as much funding as possible to the Bond community.

The County Attorney addressed Joseph Wright's first question: in order to comply with the Sunshine Law, the vote needed to be retaken. Paper ballots can be used if each paper vote is ear marked with the board member's name and are made part of the minutes. In this instance, the paper ballots were not ear marked with the PHIAB's members name, but there was still nothing illegal about this situation.

The County Administrator addressed the second question made by Joseph Wright as to how the PHIAB members were selected and who is representing the Bond community. The FHIAB is made up of 15 members of the community representing the healthcare needs of the whole community, not just the Bond area.

Commissioner Rackleff expressed his concerns regarding the inequality in healthcare, the decrease in State spending in this area and the high infant mortality rate in Leon County.

There was other Board discussion regarding accountability of organizations receiving County funds, infant mortality, healthcare, and the need for supporting this item.

Commissioner Proctor moved, seconded by Commissioner Rackleff, to approve Option #1: Accept the recommendation of the Primary Healthcare Implementation Advisory Board and direct staff to develop a contract for women's health services at

Bond Community Health Center in the amount of \$1,051,233. The motion carried 6-0 (Commissioner Grippa out of Chambers).

21. Acceptance of 2005 Florida Legislative Session Final Report; Authorization for the County Administrator to Extend and Retain Professional Lobbying Services, and Request to Schedule a Workshop on the 2006 State and Federal Legislative Issues for November 22, 2005, from 12:00 – 1:30 p.m.

Ken Morris, Special Projects Coordinator, stated he would present some State issues that passed during the 2005 session and also the 2006 appropriations that are specific to the County.

**STATE ISSUES:**

1. Capital Circle NW from I-10 to West Tennessee Street: the County requested 26.5 million, but the County did not receive any new dollars. However, the County received 12.5 million in a repayment of advance funding which was not expected until 2015. The County did receive Federal funding for Capital Circle NW; Ben Pingree will address.
2. Harbinwood/Lake Jackson Water Quality Treatment Facility: the County requested \$1 million dollars and received \$500,000.
3. A grant application, requested through the Department of State, for the construction of the Lake Jackson Branch Library was awarded. The County staff has prepared a grant application for a Southeast Branch Library and it will be considered at the 2006 legislative session.
4. Killearn Lakes Sewer Retrofit Project: the final budget did not include funds for the project.
5. Riley House Museum for Florida African American Heritage: a final State budget included a \$250,000 appropriation; however, this was voted by the Governor.

Benjamin Pingree, Assistant to the County Administrator, stated the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) reauthorization bill was passed. This bill includes \$16.1 million for right-of-way and construction for Capital Circle Northwest.

Commissioner Winchester moved, seconded by Commissioner Saul, to approve Options #1, #2, and #3:

1. Accept the 2005 Legislative Session Final Report.
2. Authorize the Chairman to extend the state lobbying services Agreement with Shutts & Bowen for one year in the amount of \$40,000; and to execute a state lobbying services Agreement, as prepared by staff, with Lewis, Longman & Walker for one year in the amount of \$40,000.
3. Schedule the Board Workshop on the 2006 State and Federal Legislative Priorities for November 22, 2005, from 12:00 – 1:30 p.m.

Commissioner Grippa stated we are not renewing a contract with a firm but entering into a new contract with Lewis, Longman & Walker. It has been four



years without looking for another lobbying firm and in four years the County has only received \$500,000 as a result of lobbying. Commissioner Grippa would like to see how much the County has paid for lobbying and litigation over the past three or four years before entering into another contract with them.

Commissioner Grippa offered a substitute motion to continue Option #2 and perform due diligence, and continue to find out who is best lobbying firm for appropriations.

*(The substitute motion failed for lack of a second)*

Commissioner Grippa offered a substitute motion, seconded by Commissioner DePuy, to approve Options #1 and #3, and extend the contract with Shutts & Bowen and then come back September 20, 2005 and review Lewis, Longman & Walker and other firms.

Speaker: David Rampa, shareholder in the law firm of Lewis, Longman & Walker, is the lead lobbyist for the firm. His firm has been representing the County on legal matters for over ten years. The firm has four offices in the State and the firm will be able to lobby State Senators and Representatives, especially those sitting on budget conference committees.

Commissioner Grippa withdrew his substitute motion.

Speaker: Linda Cox, representing Lewis, Longman & Walker.

Commissioner Proctor requested information from Mr. Rampa on the firm's hiring practices in regards to lobby-mentoring for interns.

The original motion for Options #1, #2, and #3 carried 7-0.

22. Approval of an Amendment to Joint Project Agreement (JPA) Concerning the Advanced Funding for the Acquisition of Right-of-Way for Multi-Lane Reconstruction of State Road 10 (US 90) from County Road 0353 (Dempsey Mayo) to Walden Road

Commissioner Winchester moved, seconded by Commissioner DePuy, to approve Option #1: Approve the amendment to the Joint Project Agreement concerning the advance funding for the acquisition or right-of-way for multi-lane reconstruction of State Road 10 (US 90) from County Road 0353 (Dempsey Mayo) to Walden Road, and authorize the Chairman to execute. The motion carried 6-0 (Commissioner Grippa out of Chambers).

**Scheduled Public Hearings, 6 p.m.**

**Announcements:**

This is the first of two required public hearings regarding the County 2005/2006 budget. The next and final public hearing on this issue will be at 6 p.m., September 20, 2005

The proposed aggregated millage is 9.1600 mills which is 9.3% over the aggregate roll back millage rate of 8.3773 mills. This overage is due to provision of emergency medical services, maintenance of high level of county wide service provision, continued capital improvement project programming and funding and enhance support of law enforcement.

23. First Public Hearing on Tentative Millage Rates and Budgets for Fiscal Year 2005-2006

County Attorney announced the Fiscal Year 2005/2006 tentative millage rates and MSTU millage rates. The proposal Countywide millage rate is 8.5400 mills which is 10.5% over the Countywide roll back millage rate of 7.7260 mills. The proposed Primary Healthcare MSTU millage rate is 0.1200 mills which is 39.7% under the Primary Healthcare MSTU roll back millage rate of 0.1990 mills. The proposed EMS MSTU millage rate is 0.5000 mills which is a 10.6% millage rate of the EMS MSTU roll back millage rate of 0.4523 mills.

Commissioner Winchester moved, seconded by Commissioner Rackleff, to approve Option #1: Adopt, via attached resolution, the tentative FY 05/06 Countywide millage rate of 8.5400 mills. The motion carried 5-0 (Commissioners Proctor and Grippa out of Chambers)

Commissioner Rackleff moved, seconded by Commissioner Winchester, to approve Option #2: Adopt, via attached resolution, the tentative FY-05/-06 Countywide budget. The motion carried 5-1 (Commissioner Proctor later voted in opposition of budget due to funding of State Attorney and Public Defender Offices).

Commissioner DePuy moved, seconded by Commissioner Winchester, to approve Option #3: Adopt, via attached resolution, the tentative FY05/06 Primary Healthcare MSTU budget. The motion carried 6-0 (Commissioner Grippa out of Chambers).

Commissioner DePuy moved, seconded by Commissioner Proctor, to approve Option #4: Adopt, via attached resolution, the tentative FY-05/-06 Primary Healthcare MSTU budget. The motion carried 6-0 (Commissioner Grippa out of Chambers).

Commissioner Sauls moved, seconded by Commissioner Winchester, to approve Option #5: Adopt, via attached resolution, the tentative FY-05/06 Emergency Medical Services MSTU millage rate of 0.5000 mills. Winchester and carried 6-0 (Commissioner Grippa out of Chambers).

Commissioner Rackleff moved, seconded by Commissioner Sauls, to approve Option #6: Adopt, via attached resolution, the tentative FY05/06 Emergency Medical Services MSTU budget. The motion carried 5-1 (Commissioner Grippa out of Chambers).

Commissioner Rackleff moved, seconded by Commissioner Sauls, to approve Option #7: Direct staff to advertise, in accordance with the Florida Statutes, the tentative millage rates and budgets for FY05/06 and the date, time, and place of the public hearing to adopt the final millage rates and budgets for FY05/06. The motion carried 6-0 (Commissioner Grippa out of Chambers).

24. First of Two Public Hearings to Consider Modifying the Project List to be Funded with the County Share of the One-Cent Sales Tax Extension

County Administrator explained that on September 23, 2003 the Board decided to add three projects to the list for the County's 10% share of the one-cent sales tax extension: the Centerville Trace Sewer Project; the Harbinwood Sewer Project; and the Woodville Sewer Project.

Commissioner Winchester asked, if by modifying the list, will this impact the Lake Jackson Retrofit Project. A "no" response was made by the County Attorney.

Commissioner Winchester moved, seconded by Commissioner Proctor, to approve Option #1: Conduct the first of two public hearings to consider a Resolution modifying the sales tax extension list, and direct staff to schedule the second Public Hearing for September 20, 2005.

Commissioner Rackleff offered a substitute motion to continue the First Public Hearing to October 11, 2005 at 6:00 p.m. The motion failed for lack of a second.

Commissioner Sauls requested that the maker of the original motion add:  
Direct staff to bring back more information on the sewer projects.

The motion, as amended, passed 5-1 with Commissioner Rackleff opposed and Commissioner Grippa out of Chambers.

25. First and Only Public Hearing on the Southwood Development of Impact – Phase 2A Substantial Deviation

County Administrator stated that the Southwood Development will pay the proportionate share mitigation of traffic impact of \$10 million, with the City receiving \$7,136,209, the County receiving \$2,186,099, and FDOT receiving \$991,000. County Administrator also stated that the amended Southwood DO provides for the distribution of \$150,000 (50% to City, 50% to County), which will be placed in escrow as a voluntary contribution for the initial 1,000 single-family dwelling units constructed onsite. The City did not accept the funding allocation. The

Administrator recommended the City Manager and County Administrator work on the affordable housing issue and decide how to spend affordable housing mitigation.

Wayne Tedder, Planning Director, said that when the Southside DO was first approved, the affordable housing component was not addressed.

Speaker: Mr. Jorge Gonzalez, representative of St. Joe Company, stated that St. Joe is committed to 11 transportation improvements inside the radius of development as required by changes to City/County traffic concurrency. In addition, they are paying \$10 million for traffic mitigation outside of the radius. He also stated they are working with Commuter Services of Florida to look at mass transit. Mr. Gonzalez stated that the total affordable housing component will be approximately \$150,000 which was put in an escrow account a couple of years ago. In addition to the \$150,000, there is a per unit number and the total will be about a half a million dollars for the Southwood DO.

Commissioner Winchester talked about the positive impact on economic development that has resulted. He also addressed the lack of mass transit and affordable housing.

Commissioner Rackcliff stated he will oppose this item because there is no transit system planned. The Board needs to take this issue to the CIPTA, Mayor-Chair and to every other area to encourage the city to do something about this issue in Southwood.

Commissioner Winchester moved, seconded by Commissioner DePuy, to approve Option #1, with additional language: Approve the proposed amended Development Order for the Southwood DRI, consistent with City's position regarding affordable housing mitigation. The motion passed 6-1 (Commissioner Rackleff opposed).

26. Second of Two Public Hearings and Adopt the Proposed Amendments to Article III "On-site Sewage Disposal Systems" of Chapter 18 "Utilities" of the Code of Laws of Leon County, Florida

Commissioner Rackleff reminded the Board of the new 230-home subdivision of County Line Road. Each home is on a half acre and each has a septic tank which is very troubling to him.

Commissioner Proctor believes there will be an increase burden on home buyers because the lot sizes will need to be bigger to accommodate the drainfield.

Alex Mahon, Environmental Health, Department of Health, responded to questions regarding new requirements. Only in sandy/clay/loamy soils would the sizing criterion which is presently at .65 loading rate, increase to .5 which would double the size. Currently a three bedroom home would require a 462 sq. ft. drain field, but under the new code, it would require a 600 sq. ft. drain field.

Speaker: Anthony Gaudio, member of the Septic System Advisory Committee, informed the Board of the number of septic tank failures since 1992, and stated that the amendments would have minimum monetary impact. He stated that under the proposed changes a three bedroom house with a garbage disposal the cost would be \$50 less because the garbage disposal tank and interceptor tank requirements have been eliminated. This applies only in sandy/clay/loamy soils.

Commissioner Winchester moved, seconded by Commissioner Rackleff, to approve Option #1: Conduct the second of two public hearings and adopt the proposed Ordinance amending Article III "On-site Sewage Disposal Systems" of Chapter 18 "Utilities" of the Code of Laws of Leon County, Florida. The motion carried 6-0 (Commissioner Winchester out of Chambers).

*County Administrator announced that Items #27 - #32 all deal with Pre-application for authorization of water service areas and asked the Board to allow Joe Brown, Public Works Engineering, to make a presentation. Mr. Brown stated that #27 is requesting a continuance and should be taken up separately.*

27. First and Only Public Hearing Regarding the Pre-application for Authorization of a Water and Sewer Service Area for Properties Located Along Velda Dairy Road, South of Bradfordville Road

Because of an advertising effort, this item needs to be continued to the next meeting on September 20, 2005.

Commissioner DePuy moved, seconded by Commissioner Sauls, to approve Option #1: Continue the first and only Public Hearing regarding the pre-application for authorization of a water and sewer Service Area for the Properties Located Along Velda Dairy Road South of Bradfordville Road until September 20, 2005 at 6:00 p.m. and direct staff to give notice thereof in accordance with Leon County Code of Laws. The motion carried 5-0 (Commissioners Winchester and Grippa out of Chambers).

28. First and Only Public Hearing Regarding the Pre-application for Authorization of a Water Service Area for Properties Located Along the North Side of Pisgah Church Road; a Portion of East Side of Grenville Road; Proctor Road Between Grenville and Centerville Roads; and West Side of Centerville Road

Commissioner Sauls moved, seconded by Commissioner DePuy, to approve Options #1 and #2:

1. Conduct the first and only Public Hearing and approve the Talquin Electric Cooperative, Inc., pre-application for authorization of a water service area for the properties located along the North side of Pisgah Church Road, a portion of the East side of Grenville Road, both sides

of Proctor Road (between Grenville and Centerville Road) and the West side portion of Centerville Road.

2. Deny the City of Tallahassee pre-application for authorization of a water service area for the properties located along the North side of Pisgah Church Road, a portion of the East side of Grenville Road, both sides of Proctor Road (between Grenville and Centerville Road) and the West side portion of Centerville Road.

Speaker: Jim Oskowis, General Manager of City of Tallahassee Water Utility, speaking on Items #27 - #32, stated that the City believes that the water/sewer franchises should be authorized for these areas to facilitate future provision of sewer services, though they are outside the Urban Services Area (USA) and that the franchises should go to one provider.

Commissioner Rackleff stated that the franchise should be granted to whatever entity will provide both water and sanitary sewer services.

Commissioner Sauls was concerned about the areas that need water in the near future; and, the City is not ready to provide water services. She suggested the Board go ahead and give them water from Talquin.

Commissioner DuPuy supports Commissioner Sauls statement and emphasis that Talquin has the water lines and they can provide the water now.

Commissioner Grippa questioned whether the assignment of a franchise has an expiration date; are they forever? Mr. Brown stated that there are no terms for expiration and the franchise can be revoked only for failure to provide services. Commissioner Grippa suggested that there be a definite expiration date so that in the future other County Commissioners can take a look at franchise agreements; create provisions within franchise agreements to allow future County Commissioners to go in and say, if sewer is available and an entity is willing to provide the sewer, then the County can go forward and breach the Agreement; and even further, if there is a willing party to provide services, then the County should have provision for non-exclusive franchise agreements.

Speakers: Tim Waddle, Talquin Electric stated that Talquin already has facilities in the proposed area. Talquin also has water operations surrounding the proposed area.

Russell Large, Novie Consulting Group, our firm is the engineer of record for Centerville Conservation Subdivision. So far we have been dealing with Talquin because they are existing, adjacent to our property. We do not indorse one utility over the other; we do need service.

Mark Stamps, Talquin Electric stated that they have three written agreements to provide water to those lots along Proctor Road. We will be in violation of these agreements if the Board gives this franchise to the City. The City cannot provide

this service without duplicating Talquin Electric's water mains. The purpose of one of the County's franchise ordinances is not to duplicate services.

Commissioner DePuy moved, seconded by Commissioner Sauls to call the question. The motion passed 4-2 (Commissioners Grippa and Rackleff opposed and Commissioner Winchester out of Chambers).

The motion to approve Options#1 and #2 passed 5-2 (Commissioners Grippa and Rackleff opposed).

29. First and Only Public Hearing Regarding the Pre-application for Authorization of a Water Service Area for Properties Located Along Portions of the Apalachee Parkway, Chaires Cross Road, Old St. Augustine Road, and W. W. Kelly Road

Commissioner Proctor moved, seconded by Commissioner Sauls, to approve Options #1 and #2:

1. Conduct the first and only Public Hearing and approve the Talquin Electric Cooperative, Inc., pre-application for authorization of a water service area for the properties located along portions of the Apalachee Parkway, Chaires Cross Road, Old St. Augustine Road and W.W. Kelly Road.
2. Deny the City of Tallahassee pre-application for authorization of a water service area for the properties located along portions of the Apalachee Parkway, Chaires Cross Road, Old St. Augustine Road and W.W. Kelly Road.

Commissioner Grappa is opposed to this item and suggested competition.

Commissioner Grippa offered a substitute motion, seconded by Commissioner Rackleff, to authorize a non-exclusive franchise award to each of the applicants for the proposed service area for a time period of thirty years. The motion failed 2-5 (Commissioners DePuy, Proctor, Sauls, Thaell and Winchester opposed).

The original motion for Options#1 and #2 passed 5-2 (Commissioners Grippa and Rackleff opposed).

30. First and Only Public Hearing Regarding the Pre-application for Authorization of a Water Service Area for Properties Located Along the West Side of Crump Road, Between Emerald Acres and U. S. 90

Commissioner Sauls moved, seconded by Commissioner Proctor, to approve Options #1 and #2:

1. Conduct the first and only Public Hearing and approve the Talquin Electric Cooperative, Inc., pre-application for authorization of a water service area for the

properties located along the West side of Crump Road, between Emerald Acres and U.S. 90.

2. Deny the City of Tallahassee pre-application for authorization of a water service area for the properties located along the West side of Crump Road, between Emerald Acres and U.S. 90.

The motion carried 5-2 (Commissioners Grippa and Rackleff opposed).

31. First and Only Pubic Hearing Regarding the Pre-application for Authorization of a Water Service Area for Properties Located Along Crawfordville Road

Commissioner DePuy moved, seconded by Commissioner Grappa, to approve Options #1 and #2:

1. Conduct the first and only Public Hearing and approve the City of Tallahassee pre-application for authorization of water service area for the properties located along Crawfordville Highway.
2. Deny the Talquin Electric Cooperative, Inc., pre-application for authorization of a water service area for the properties located along Crawfordville Highway.

Mr. Mark Stamps, Talquin, stated the main issue the Board needs to understand Talquin already has an existing 6 inch main in 319 that bi-sects this property and he would hate to see that capital investment be eliminated with the inability to serve the adjacent properties. Presently, Talquin cannot provide fire protection but plans to do so in the future.

County Administrator replied that the City of Tallahassee has an 8 inch, 10 inch and a 12 inch water main and can provide fire protection.

Commissioner Rackleff urged the Board to concern sewer service to this location.

Commissioner Rackleff offered a substitute motion, seconded by Commissioner Grappa to include Options #1 and #2 (which is the staff recommendation. (this motion was later dismissed and a new substitute motion was made)

Mr. Mark Stamps, Talquin, The City is a long way from this property unless the City duplicates Talquin's lines in the right-of-way. Mr. Stamps is not sure if this can be done without Talquin's permission. Regarding the sewer issue, the City already has the sewer franchise; Talquin did not apply for the sewer franchise.

Commissioner Rackleff offered a substitute motion, seconded by Commissioner Grappa, to grant a joint non-exclusion water franchise, which would include providing fire flow, to Talquin Electric Cooperative, Inc., and to the City of Tallahassee for thirty years. The motion carried 5-2 (Commissioners Proctor and Sauls voted in opposition.



32. First and Only Public Hearing Regarding the Pre-application for Authorization of a Service Area for Properties Located Along the North Side of Bannerman Road, East of Bull Headley Road

Commissioner Sauls moved, seconded by Commissioner Winchester and carried 5-2 (Commissioners Grippa and Rackleff opposed), to approve Options #1 and #2:

1. Conduct the first and only Public Hearing and approve the Talquin Electric Cooperative, Inc., pre-application for authorization of a water service area for the properties located along the North side of Bannerman Road, East of Bull Headley Road.
2. Deny the City of Tallahassee pre-application for authorization of a water service area for the properties located along the North side of Bannerman Road, East of Bull Headley Road.

Commissioner Grippa offered a substitute motion, seconded by Commissioner Rackleff, to grant a joint non-exclusion water franchise, which would include providing fire flow, to Talquin Electric Cooperative, Inc., and to the City of Tallahassee for thirty years. The motion carried 5-2 (Commissioners Sauls and Winchester voted in opposition.)

#### County Administrator

ADD-ON:

33. Authorization and Continuation of Leon County's Hurricane Katrina Recovery Efforts

Commissioner Sauls moved, seconded by Commissioner Rackleff, to approve Options #1 and #2:

1. Authorize emergency recovery/relief efforts initiated by the County Administrator, including the waiver of library and campground fees.
2. Authorize the continuation of fee and limitation on the length of stay waivers through November 30, 2005.

The motion carried 7-0.

#### Commissioner Proctor

Requested a Resolution for Reverend Ernest Ferrell

#### Commissioner Thael

Requested a traffic safety study by Public Works at several intersections, stating there have been many accidents, and recently, the death of a child.

Commissioner Grippa moved, seconded by Commissioner Winchester, to approve a traffic safety study of Meridian Road at intersections of Maclay School, Piedmont Drive,

Henderson Road, Middlebrook Road and Waverly Road. The motion carried 7-0.

Requested a Resolution for "Put the Brakes on Fatalities" be placed on October 11, 2005 agenda.

The Performing Arts Center Committee would like the County to appoint Bob Inzer (if he is a board member of the TDC) to the vacancy left by the departure of Mike Briskel.

#### **Commissioner Winchester**

Thanked Public Works' staff, Tony Park, Joe Brown and Charles Wu, for their assistance regarding the problems at the CSX Railroad crossing on Tower Road.

Announced that the Florida Association of Counties conference the Lake Jackson Ecopassage Project received the Board of American Planners Association's 2005 Award of Merit and was presented to Matt Aresco and consultants on the project.

#### **Commissioner Grippa**

Requested that an appointment be made to Senator Allen Boyd's Healthcare Council and that he was willing to serve.

Commissioner Proctor moved, seconded by Commissioner DePuy to appoint Commissioner Grippa to the Healthcare Council. The motion passed 7-0.

Requested staff comes back with an agenda item regarding having a secondary, and even a third contract, on the number of hurricane clean-up firms. Public Works Director Tony Park stated that Public Works is working with the City on this issue and will bring back an agenda item for the October 11, 2005 Board Meeting.

Board discussion regarding emergency operations

Commissioner Grippa moved, seconded by Commissioner DePuy, to schedule a Joint City/County meeting regarding creating one Emergency Operations Center. The motion carried 7-0.

There was additional discussion regarding the adding of this issue to the dialogue between City Commissioner Lightsey and Commissioner DePuy on Joint Dispatch, and for it to be taken up and Hurricane season, as requested by Chris Floyd of the Red Cross.

Commissioner Proctor requested that after meeting with the City on emergency operations, that a Town meeting be held to explain emergency evacuation procedures to constituents.

Requested the Board take up the issue of the County's Sign Ordinance regarding monitoring the word content of commercial signs; for example, the "Bad-Ass Coffee House".

Commissioner Grippa moved that the Board schedule a Workshop, to include the community, on sign-wording standards. The motion failed for lack of a second.

Motion made by Commissioner Grippa, seconded by Winchester, to endorse the good work the County Administrator and Attorney have been doing. Motion passed 7-0.

There being no further business to come before the Board, the meeting adjourned at 9:30 p.m.

APPROVED: \_\_\_\_\_  
Cliff Thael  
Chairman

ATTEST:

\_\_\_\_\_  
Bob Inzer  
Clerk of the Circuit Court